



**DEPARTMENT OF THE NAVY**  
COMMANDER  
UNITED STATES FLEET FORCES COMMAND  
1562 MITSCHER AVENUE SUITE 250  
NORFOLK VA 23551-2487

5720

Ser N01P (2017-09-001453)/008  
January 19, 2017

Mr. David Larter  
Navy Times  
1919 Gallows Road, Suite 400  
Tysons, VA 22182

Dear Mr. Larter:

This letter responds to your Freedom of Information Act (FOIA) requests dated November 21, 2016, received by email, wherein you request multiple documents related to the general court-martial United States v. LCDR Edward C. Lin, U.S. Navy.

Your request was processed under applicable provisions of the FOIA statute, as amended, and the implementing Navy Department directive (SECNAVINST 5720.42F).

As referenced in your FOIA request, you seek a copy of the matrix submitted by the government and amended by the defense that matches LCDR Edward Lin's charges with corroborating evidence, a copy of the transcript deposition of Janice Chen, a Taiwanese official, in the case of LCDR Edward Lin which has been entered into evidence, a copy of the transcript of LCDR Edward Lin's interrogation by investigators after his September 11, 2015 arrest in Honolulu, and a copy of the transcripts of LCDR Edward Lin's conversations with the undercover FBI agent known to him as Katherine Wu.

After careful consideration of your request I have determined that they are exempt from disclosure and must be withheld in their entirety pursuant to exemptions (b)(6), (b)(7)(A), and (b)(7)(B) of the FOIA. The documents are part of an ongoing law enforcement proceeding and the production of these documents could reasonably be expected to interfere with those enforcement proceedings. Further, their disclosure may deprive the Accused of his right to a fair trial. I have also determined that the particular kinds of documents you have requested in this case could generally interfere with LCDR Lin's court-martial; therefore I am withholding them categorically. Additionally, release of the information sought could result in an unwarranted invasion of the personal privacy of various individuals. Reasonable segregation of any information not exempt from release is not possible.

No fees will be assessed for the processing of your request.

Because your request has been denied, you are advised of your right to appeal the denial of your request by writing to:

Office of the Judge Advocate General  
Department of the Navy  
Attn: FOIA Appeals, Code 14  
1322 Patterson Ave, SE, Ste 3000  
Washington Navy Yard, DC 20374-5066

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Your appeal must be postmarked within ninety (90) calendar days from the date of this letter. A copy of your initial request and this denial letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial decision to be in error.

In this instance, the fees associated with the processing of this request were below the minimum threshold and have not been assessed. Please be advised, however, that fees, fee categories, and fee waivers are determined on a case-by-case basis, and a previous determination has no influence on future determinations.

For this determination, you have the right to seek dispute resolution services from either the DoD Navy Component FOIA Public Liaison, Mr. Chris Julka, at [christopher.a.julka@navy.mil](mailto:christopher.a.julka@navy.mil), (703) 697-0031; or by contacting the Office of Government Information Services (<https://ogis.archives.gov/>), [ogis@nara.gov](mailto:ogis@nara.gov), (202) 741-5770.

I am the person responsible for this determination. Please contact Ms. Linda Alvers at (757) 836-3630 or at [linda.alvers@navy.mil](mailto:linda.alvers@navy.mil) if you require further assistance.

Sincerely,



J. E. HANZLIK, JR.  
Captain, U.S. Navy

By direction of the Commander

Copy to:  
Case File  
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USFF N01L